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HOUSE BILL 363

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

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AN ACT

**RELATING TO GENERAL WELFARE; LIMITING PERMISSIBLE USES OF
SOCIAL SECURITY IDENTIFICATION NUMBERS.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. SHORT TITLE.--This act may be cited as the
"Social Security Number Confidentiality Act".**

**Section 2. DEFINITIONS.--As used in the Social Security
Number Confidentiality Act:**

**A. "person" means a natural person or a business,
association or governmental entity; and**

**B. "social security number" means the unique nine-
digit number issued to a person by the federal social security
administration.**

Section 3. USE OF SOCIAL SECURITY NUMBERS RESTRICTED.--

A. A person shall not make the entirety of a social

underscored material = new
[bracketed material] = delete

1 security number available to the general public. This
2 prohibition includes:

3 (1) intentionally communicating a social
4 security number to the general public;

5 (2) printing a social security number on a
6 card required for the receipt of products or services,
7 including cards issued for receipt of services from the state
8 or its political subdivisions;

9 (3) requiring use of a social security number
10 over the internet without a secure connection or encryption
11 security;

12 (4) requiring use of a social security number
13 to access an internet account; and

14 (5) printing a social security number on
15 materials mailed to a person unless required by law.

16 B. A person shall not require use of the entirety
17 of a social security number for an employment application,
18 credit application or other transaction, except for law
19 enforcement, social security, medicare or medicaid purposes.

20 C. A person shall not refuse to transact business
21 because of a refusal to provide the social security number,
22 unless the social security number is required by federal or
23 state law.

24 D. A person shall not transmit material that
25 associates a social security number with an account number for

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1 a bank, savings and loan association or credit union, unless
2 both numbers are required as part of an application or
3 enrollment process or to establish, amend or terminate an
4 account, contract or policy or to confirm the accuracy of the
5 social security, bank, savings and loan association or credit
6 union account number.

7 Section 4. USE OF SOCIAL SECURITY NUMBER PERMITTED. --

8 A. A person may use a social security number if the
9 social security number:

10 (1) is part of an application or enrollment
11 process or to establish, amend or terminate an account,
12 contract or policy;

13 (2) was furnished for a document generated on
14 or before December 31, 2005 and the person is copying or
15 reproducing that document; or

16 (3) exists on an original document generated
17 on or before December 31, 2005.

18 B. A person may collect, use and release a social
19 security number as required by law or for internal verification
20 or administrative purposes.

21 Section 5. REPEAL. -- Sections 57-12B-1 through 57-12B-3
22 NMSA 1978 (being Laws 2003, Chapter 169, Sections 1 through 3)
23 are repealed.

24 Section 6. EFFECTIVE DATE. -- The effective date of the
25 provisions of this act is January 1, 2006.

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